

"Express Mail" mailing label number EL 856 148 313 US. I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated and is addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on September 26, 2001.

By: Michelle M. Stempien Printed: Michelle M. Stempien

JC978 U.S. PTO  
09/965522  
09/26/01



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pretti G. Lal and Olga Bandman

Title: NOVEL HUMAN SODIUM-DEPENDENT PHOSPHATE COTRANSPORTER

Serial No.: To Be Assigned Filing Date: Herewith

Examiner: To Be Assigned Group Art Unit: To Be Assigned

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

### INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit under 37 C.F.R. 1.98(3)(d) that copies of the references are not included herein as copies were previously cited by or submitted to the Office in parent application Serial No. 08/805,118, filed February 24, 1997, and divisional application Serial No. 09/391,958, filed September 8, 1999, from which we are claiming priority under 35 U.S.C. 120.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant

and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108**. A **duplicate copy of this communication is enclosed**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 26 Sept 2001

  
\_\_\_\_\_  
Diana Hamlet-Cox  
Reg. No. 33,302  
Direct Dial Telephone: (650) 845-4639

3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555  
Fax: (650) 845-4166